

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

450 Golden Gate Avenue
San Francisco, CA 94102

www.cand.uscourts.gov

Susan Y. Soong
Clerk of Court

General Court Number
415-522-2000

May 31, 2018

U.S. District Court Southern District of New York
500 Pearl street
New York, NY 10007-1312

Case Name: USA v. Jung
Case Number: 18-mj-70737-JCS-1
Charges: 15:78j(b) & 78ff; 17CFR 240.10b-5; and 18:371 & 2 - Conspiracy to
commit securities fraud and securities fraud relating to an insider trading scheme

Dear Clerk:

The above charges originated in your district and the defendant has appeared before U.S. Magistrate Judge Joseph C. Spero. The following action has been taken:

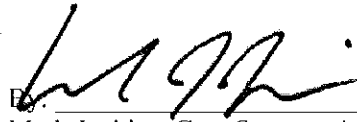
- () The U.S. Marshal has been ordered to remove this defendant to your district forthwith.
- (X) The defendant has a court appearance in your court on : 6/22/2018 w/Pretrial Svcs

Enclosed are the following documents:

- (X) Original Rule 5 affidavit
- (X) Original minute orders (Order of removal in minutes)
- (X) Certified copy of AO 94, *Commitment to Another District*
- (X) Other miscellaneous documents

Please acknowledge receipt of the documents on the attached copy of this letter and return in the envelope provided.

Susan Y. Soong, Clerk



Mark Jenkins, Case Systems Administrator
415-522-2000

Receipt of the above-described documents is acknowledged herewith and assigned case number:

_____.

Date: _____

By: _____
Deputy Clerk

CLOSED

**U.S. District Court
California Northern District (San Francisco)
CRIMINAL DOCKET FOR CASE #: 3:18-mj-70737-JCS All Defendants
Internal Use Only**

Case title: USA v. Jung
Other court case number: 18 MAG 4640 Southern District of
New York

Date Filed: 05/31/2018
Date Terminated: 05/31/2018

Assigned to: Magistrate Judge Joseph C.
Spero

Defendant (1)**Woojae Jung**

TERMINATED: 05/31/2018

also known as

Steve Jung

TERMINATED: 05/31/2018

represented by **Casey Thomas O'Neill**

Fenwick & West LLP

555 California Street

13th Floor

San Francisco, CA 94104

415-875-2027

Fax: 415-281-1350

Email: coneill@fenwick.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a
document which was electronically filed with the United States
District Court for the Northern District of California.

Date Filed: 6-1-18

SUSAN Y. SOONG, Clerk

By: [Signature], Deputy Clerk**Pending Counts** MARK J. JENKINS

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None


Complaints**Disposition**


15:78j(b) & 78ff; 17CFR 240.10b-5; and
 18:371 & 2 - Conspiracy to commit
 securities fraud and securities fraud
 relating to an insider trading scheme

Plaintiff

USA

represented by **Robert David Rees**
 U.S. Attorneys Office
 450 Golden Gate Avenue
 11th Floor
 San Francisco, CA 94102
 415-436-7200
 Fax: 415-436-7234
 Email: robert.rees@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
05/31/2018	<u>1</u>	Notice of Proceedings on Out-of-District Criminal Charges Pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure as to Woojae Jung (1). (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)
05/31/2018		Arrest of Woojae Jung in Northern District of California. (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)
05/31/2018	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Joseph C. Spero: Initial Appearance as to Woojae Jung held on 5/31/2018; Added attorney Casey Thomas O'Neill for Woojae Jung. Government's oral motion to Unseal Entire Case is Granted. Defendant waived his Identity Hearing. Issued Appearance Bond. Order removed to the Southern District of New York (Pretrial Services). Defendant to appear before Pretrial in Southern District of New York on 6/22/2018 by 5:00 pm. FTR Time 9:34-9:34 & 10:36-10:53. Pretrial Officer: Brad Wilson. Defendant Present: Yes. Defendant in Custody: Yes. (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)
05/31/2018	 <u>3</u>	ORDER Setting Conditions of Release and Appearance Secured by \$100,000 cash Bond by 6/8/2018 Entered as to Woojae Jung in amount of \$ 500,000. Signed by Magistrate Judge Joseph C. Spero on 5/31/2018. (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)
05/31/2018	<u>4</u>	Stipulated ORDER Excluding Time Under the Speedy Trial Act from 5/31/2018 to 6/22/2018 as to Woojae Jung. Signed by Magistrate Judge Joseph C. Spero on 5/31/2018. (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)

05/31/2018	<u>5</u>	CLERK'S NOTICE - Rule 5 documents forwarded to Southern District of New York via USPS as to Woojae Jung (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)
05/31/2018		(Court only) ***Terminated defendant Woojae Jung, pending deadlines, and motions., ***Case Terminated as to Woojae Jung (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 05/31/2018)
05/31/2018	<u>6</u>	ORDER Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail as to Woojae Jung. Signed by Magistrate Judge Joseph C. Spero on 5/31/2018. (mjj2S, COURT STAFF) (Filed on 5/31/2018) (Entered: 06/01/2018)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States of America,

v.

WOOJAE JUNG,

Defendants.

Case No. 3:18-MJ-70737-JCS-1

Charging District: Southern District of NY
Charging District's Case No.: 18 MAG
4640

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE
CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. The time and place to appear in that court are as follows:

Place: Daniel Patrick Moynihan United States Courthouse United States Pretrial Services 500 Pearl Street, Room 550 New York, NY 10007-1312	Courtroom No.: Date and Time: June 22, 2018 no later than 5:00 PM.
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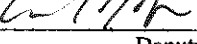
If the date or time to appear in that court has not yet been set, the defendant must appear when notified to do so.

The clerk is ordered to transfer any bail deposited in the registry of this court, plus earned interest, to the clerk of the court where the charges are pending.

Dated: May 31, 2018

I hereby certify that the annexed
instrument is a true and correct copy
of the original on file in my office.
ATTEST:

SUSAN Y. SOONG
Clerk, U.S. District Court
Northern District of California

By 
Deputy Clerk

Date 6-1-18


JOSEPH C. SPERO
Chief Magistrate Judge

MARK J. JENKINS

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States of America,

Plaintiff,
v.

WooJae Jung,
Defendant.

Case No. CR 3:18-MJ-70737-JCS-1

STIPULATED ORDER EXCLUDING TIME
UNDER THE SPEEDY TRIAL ACT

FILED

MAY 31 2018

SUSAN Y. SOONG

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

For the reasons stated by the parties on the record on 5/31/, 2018, the Court excludes time under the Speedy Trial Act from 5/31/, 2018 to 6/22/, 2018 and finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A). The Court makes this finding and bases this continuance on the following factor(s):

Failure to grant a continuance would be likely to result in a miscarriage of justice.
See 18 U.S.C. § 3161(h)(7)(B)(i).

☒ The case is so unusual or so complex, due to [check applicable reasons] the number of defendants, ☒ the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or the trial itself within the time limits established by this section. See 18 U.S.C. § 3161(h)(7)(B)(ii).

Failure to grant a continuance would deny the defendant reasonable time to obtain counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

Failure to grant a continuance would unreasonably deny the defendant continuity of counsel, given counsel's other scheduled case commitments, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

☒ Failure to grant a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 5/31/18

JOSEPH C. SPERO

Chief Magistrate Judge

STIPULATED:

Attorney for Defendant

Assistant United States Attorney

4-MJ

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA		ORDER SETTING CONDITIONS OF RELEASE AND APPEARANCE BOND		DATE 5/31/18	CASE NUMBER 3-18-70737 JLS
NAME OF DEFENDANT Woojae Jung		ADDRESS OF DEFENDANT 110 CHANNEL ST. #633, SF, CA 94158		TELEPHONE NUMBER	
NAME OF SURETY		RELATIONSHIP TO DEFENDANT Wife		ADDRESS OF SURETY 110 Channel St. #633, SF, CA 94158	
NAME OF CUSTODIAN SAME		RELATIONSHIP TO DEFENDANT		TELEPHONE NUMBER 646-724-0009 (Defendant) 215-401-2336 (Wife)	
AMOUNT OF BOND \$500,000	<input type="checkbox"/> UNSECURED	<input checked="" type="checkbox"/> SECURED BY \$100,000	<input type="checkbox"/> DEPOSIT RECEIVED RECEIVED FROM:	OTHER SECURITY POSTED 110 CHANNEL ST. #633 SF, CA 94158 TO BE POSTED BY: 6/8/18	TIME/DATE OF NEXT APPEARANCE 6/22/18 AT 5:00PM
			COURTROOM/JUDGE PRETRIAL SERVICES SDNY		

CONDITIONS OF RELEASE AND APPEARANCE

Defendant is subject to each condition checked.

- ☒ Defendant shall appear at all proceedings as ordered by the Court and shall surrender for service of any sentence imposed.
- ☒ Defendant shall not commit any federal, state, or local crime.
- ☒ Defendant shall not harass, threaten, intimidate, injure, tamper with, or retaliate against any witness, victim, informant, juror, or officer of the Court, or obstruct any criminal investigation. See 18 U.S.C. 1503, 1510, 1512, and 1513, on reverse side.
- ☐ Defendant shall not travel outside the Northern District of California, that is, these counties; Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, and Sonoma. See map on reverse side.
- ☒ Defendant shall report in person immediately upon release and thereafter as directed to Pretrial Services in SAN FRANCISCO. See addresses and telephone numbers on reverse side.
- ☒ Defendant shall surrender all passports and visas to Pretrial Services by 5/31/18 and shall not apply for any passports or other travel documents.
- ☒ Defendant shall not possess any firearm, destructive device, or other dangerous weapon.
- ☒ Defendant shall remain in the custody of custodian Weon Jiv Jung at 110 CHANNEL ST. #633, SF, CA 94158, who agrees to supervise him/her and to report any violation of a release condition to Pretrial Services. A custodian who fails to do so may be prosecuted for contempt.
- ☐ Defendant shall participate in (drug) (alcohol) (mental health) counseling, and submit to (drug) (alcohol) testing, as directed by Pretrial Services.
- ☐ Defendant shall not use alcohol to excess and shall not use or possess any narcotic or other controlled substance without a legal prescription.
- ☐ The Defendant shall maintain current verifiable employment, or if unemployed, the defendant shall seek employment or commence an educational program as directed by Pretrial Services.
- ☐ Defendant shall submit to a warrantless search of his/her person, place of residence and vehicle at the direction of Pretrial Services.
- ☐ Defendant shall have no contact with any co-defendant out of the presence of counsel.
- ☒ Defendant shall not change residence without prior approval of Pretrial Services.
- ☐ Defendant shall comply with the following curfew: _____ to _____.
- ☐ Defendant shall be subject to electronic or voice track monitoring. Defendant may leave home for the purpose of _____.
- ☐ Defendant must ☐ reside in Halfway House ☐ participate in Residential Treatment _____.
- ☒ The following conditions also apply:

DEFENDANT SHALL NOT LEAVE THE UNITED STATES

DEFENDANT SHALL NOT TRAVEL OUTSIDE CALIFORNIA AND NEW YORK, and flights in between CA & NYC

MAY 31 2018
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Defendant shall contribute to the cost of services provided by Pretrial Services as directed by Pretrial Services.

CONSEQUENCES OF DEFENDANT'S FAILURE TO OBEY CONDITIONS OF RELEASE

Payment of the full amount of this bond shall be due forthwith, and all cash or property posted to secure it shall be forfeited. Judgment may be entered and executed against defendant and all sureties jointly and severally.

An arrest warrant for defendant shall issue immediately, and defendant may be detained without bail for the rest of the proceedings.

Defendant shall be subject to consecutive sentences and fines for failure to appear and/or for committing an offense while on release. See 18 U.S.C. 3146 and 3147, on reverse side.

We, the undersigned, have read and understand the terms of this bond and acknowledge that we are bound by it until duly exonerated.

SIGNATURE OF DEFENDANT	SIGNATURE(S) OF SURETY(IES)
SIGNATURE OF CUSTODIAN	SIGNATURE OF MAGISTRATE JUDGE
THIS ORDER AUTHORIZES THE MARSHAL TO RELEASE DEFENDANT FROM CUSTODY.	
DATE	

DOCUMENTS UNDER SEAL ☐

TOTAL TIME (mins): 17 M

MAGISTRATE JUDGE MINUTE ORDER		DEPUTY CLERK Karen L. Hom		REPORTER/FTR FTR: 9:34-9:34 & 10:36-10:53	
MAGISTRATE JUDGE JOSEPH C. SPERO		DATE May 31, 2018		NEW CASE <input type="checkbox"/>	CASE NUMBER 3:18-MJ-70737-JCS-1
APPEARANCES					
DEFENDANT Woojae Jung		AGE	CUST Y	P/NP P	ATTORNEY FOR DEFENDANT Casey O'Neill, retained
U.S. ATTORNEY Robert Rees		INTERPRETER NA		<input type="checkbox"/> FIN. AFFT SUBMITTED	<input type="checkbox"/> COUNSEL APPT'D for proceedings here in SF.
PROBATION OFFICER	PRETRIAL SERVICES OFFICER Brad Wilson		DEF ELIGIBLE FOR APPT'D COUNSEL <input type="checkbox"/>		PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>
PROCEEDINGS SCHEDULED TO OCCUR					
<input checked="" type="checkbox"/> INITIAL APPEAR Rule 5 SDNY	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION		<input type="checkbox"/> JUGM'T & SENTG	<input type="checkbox"/> STATUS TRIAL SET
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> BOND HEARING		<input type="checkbox"/> IA REV PROB. or or S/R	<input type="checkbox"/> OTHER
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA		<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> ATTY APPT HEARING
INITIAL APPEARANCE					
<input checked="" type="checkbox"/> ADVISED OF RIGHTS	<input checked="" type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME		<input type="checkbox"/> TRUE NAME:	
ARRAIGNMENT					
<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input checked="" type="checkbox"/> READING WAIVED SUBSTANCE		<input type="checkbox"/> WAIVER OF INDICTMENT FILED	
RELEASE					
<input type="checkbox"/> RELEASED ON O/R	<input checked="" type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$ 500,000		SPECIAL NOTES Post by 6/8/18	<input checked="" type="checkbox"/> PASSPORT SURRENDERED DATE: 5/31/18
PROPERTY TO BE POSTED <input checked="" type="checkbox"/> CASH \$ 100,000		CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input checked="" type="checkbox"/> 110 Channel St., Unit 633, SF, CA 94158	
<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input checked="" type="checkbox"/> RELEASED	<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input type="checkbox"/> REMANDED TO CUSTODY
ORDER REMOVED TO THE DISTRICT OF Southern District of New York (Pretrial Services)					
PLEA					
<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY		GUILTY TO COUNTS: <input type="checkbox"/>	
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED		OTHER:	
CONTINUANCE					
TO: 6/22/18	<input type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT		<input type="checkbox"/> TRIAL SET
AT: by 5:00 PM	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING	<input type="checkbox"/> CHANGE OF PLEA		<input type="checkbox"/> STATUS
BEFORE HON.: Pretrial in SDNY	<input type="checkbox"/> DETENTION HEARING	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> MOTIONS		<input type="checkbox"/> JUDGMENT & SENTENCING
<input checked="" type="checkbox"/> TIME WAIVED	<input checked="" type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE		<input type="checkbox"/> PROB/SUP REV. HEARING
ADDITIONAL PROCEEDINGS					

Gov't Oral Motion to Unseal Entire Case - Granted. Dft waived his Identity Hrg. FBI Agent will surrender passport to PTS.

DOCUMENT NUMBER:

2-MJO

ALEX G. TSE (CABN 152348)
Acting United States Attorney

BARBARA J. VALLIERE (DCBN 439353)
Chief, Criminal Division

ROBERT DAVID REES (CABN 229441)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7210
FAX: (415) 436-7234
Email: robert.rees@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

MAY 31 2018

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



JCS

UNITED STATES OF AMERICA,

Plaintiff,

v.

WOOJAE JUNG,
a/k/a Steve Jung,

Defendant.

CRIMINAL NO.

3 18-70737

NOTICE OF PROCEEDINGS ON OUT-OF-
DISTRICT CRIMINAL CHARGES PURSUANT TO
RULES 5(c)(2) AND (3) OF THE FEDERAL
RULES OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure
that on May 31, 2018, the above-named defendant was arrested based upon an arrest warrant (copy
attached) issued upon an

☐ Indictment

☐ Information

X Criminal Complaint

☐ Other (describe) _____

pending in the Southern District of New York, Case Number 18 MAG 4640.

//

//

1 - MJO

Mod AO-442 (09/13) Arrest Warrant AUSA Name & Telno: Andrew Thomas (212-637-2106)

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America

v.

Woojae Jung,
a/k/a "Steve Jung,")
)
)
)
)
)

Case No. 18 Mag.

Defendant

ARREST WARRANT

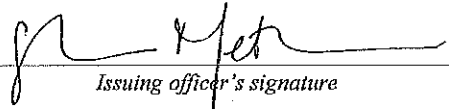
To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) Woojae Jung a/k/a "Steve Jung",
 who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

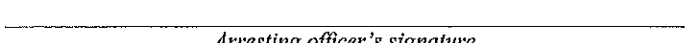
Count One: Conspiracy to commit securities fraud (18 U.S.C. 371, 15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5)
 Count Two: Securities fraud (15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5, 18 U.S.C. 2)
 Count Three: Securities fraud (15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5, 18 U.S.C. 2)
 Count Four: Securities fraud (15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5, 18 U.S.C. 2)
 Count Five: Securities fraud (15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5, 18 U.S.C. 2)
 Count Six: Securities fraud (15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5, 18 U.S.C. 2)
 Count Seven: Securities fraud (15 U.S.C. 78j(b) & 78ff, 18 C.F.R. 240.10b-5, 18 U.S.C. 2)

Date: 05/30/2018

 Issuing officer's signature
City and state: New York, New York
Hon. Sarah Netburn, U.S.M.J.
 Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____


 Arresting officer's signature

 Printed name and title